Arrest on Out-of-District Offense

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

ARREST ON OUT-OF-DISTRICT OFFENSE

'08 MJ 8825

Magistrate Case Number: ________________

The person charged as Fernando Alvarez-Brenes now appears before this United States District Court for an initial appearance as a result of the following charges having been filed in the United States District Court for the Eastern District of California with Deported Alien found in the United States, in violation of Title 8, United States Code, Section 1326.

The charging documents and the warrant of the arrest of the defendant which was issued by the above United States District Court are attached hereto.

I hereby swear under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

DATED: 9/5/08.

[signature]

Christopher A. Salgado
(Name)

Deportation Officer

Reviewed and Approved:

Dated: 9-8-08

[signature]
Assistant United States Attorney

FILED
SEP 08 2008
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY [initials] DEPUTY

COPY

WARRANT OF ARREST
UNITED STATES DISTRICT COURT

INSTRUCTIONS: Forward copies Number 1 AND 2 intact to the US Marshal. Forward copy Number 3 to US Attorney's office. Retain number 4 copy. If applicable, use Number 4 copy to withdraw warrant. After completion of return, US Marshal will distribute copies Number 1 through 3 as appropriate.

Name of Person	DISTRICT OF ISSUE	Docket Number
FERNANDO ALVAREZ-BRENES aka Alejandro Ayala Alvarez aka Fernando Brenes Alvarez	**EASTERN DISTRICT OF CALIFORNIA**	1:08-cr-00288LJO

REASON FOR WARRANT

X Indictment	☐ Information	☐ OTHER (SPECIFY)
8/1326(a)& (b)(2)	Deported Alien Found in the United States (Felony)	NO BAIL
Date: 09/04/2008	DEPUTY CLERK: S. MARTIN	Signature of issuing official: S. Martin

TO: ANY US MARSHAL OR ANY OTHER AUTHORIZED OFFICER

☐ You are hereby commanded to arrest the above named person and bring this individual forthwith before the nearest available United States Court or (*if applicable*) before the nearest United States Magistrate in the arresting district to answer the above stated charge(s) in the indictment or information.

THE US MARSHAL IN THE DISTRICT OF ARREST IS HEREBY FURTHER AUTHORIZED AND COMMANDED TO TAKE CUSTODY OF THE ABOVE NAMED PERSON. IF AFTER BRINGING THE PERSON BEFORE ANY APPLICABLE JUDICIAL OFFICER IN THE MANNER INDICATED ABOVE, THE INDIVIDUAL FAILS TO FURNISH BAIL FOR APPEARANCE PER ORDERS AND DIRECTIONS OF SUCH JUDICIAL OFFICER, THE US MARSHAL IS AUTHORIZED AND COMMANDED TO KEEP SAFELY THIS INDIVIDUAL UNTIL DISCHARGED IN DUE COURSE OF LAW.

RETURN

I certify I executed this warrant and such other order directed herein as shown below.

Date Received 9/5/08	Arresting Agency (if not US Marshal) ICE/DRO	Chris SALGADO Signature of Arresting Agent (if not US Marshal)
Date Committed 9/5/08	Place of Confinement Imperial County Jail	☒ Executed ☐ Unexecuted ☐ Withdrawn
Date of Return	Name of US Marshal	Signature of US Marshal or Deputy

MA FORM 6 EASTERN DISTRICT OF CALIFORNIA

COPY NUMBER 1 - ACTION COPY
COPY NUMBER 2 - CONFINEMENT AGENCY COPY
COPY NUMBER 3 - US ATTORNEY COPY
COPY NUMBER 4 - CLERKS OFFICE COPY

McGREGOR W. SCOTT
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IAN L. GARRIQUES
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Telephone: (559) 497-4000

ORIGINAL

FILED
SEP 04 2008
CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY ________ DEPUTY CLERK
S. MARTIN

UNITED STATES DISTRICT COURT FOR THE

EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. FERNANDO ALVAREZ-BRENES aka Alejandro Ayala Alvarez aka Fernando Brenes Alvarez, Defendant.	1 08 CR 00288 LJO CR. NO. VIOLATION: 8 U.S.C. § 1326(a) and (b)(2) - Deported Alien Found in the United States (Felony)

I N D I C T M E N T

The Grand Jury charges: T H A T

FERNANDO ALVAREZ-BRENES
aka Alejandro Ayala Alvarez
aka Fernando Brenes Alvarez,

defendant herein, an alien, on or about March 20, 2007, was excluded, deported, or removed from the United States after being convicted of one or more crimes punishable by a term of imprisonment exceeding one year, specifically:

> Receiving stolen property in violation of California Penal Code § 496(a), on or about August 20, 2002, in the Superior Court of California, County of Los Angeles, for which the defendant was sentenced to two years imprisonment (Case No. NA052855-03);

and thereafter on or about April 16, 2008, the defendant was found within the State and Eastern District of California, with neither the United States Attorney General or the Secretary of the Department of Homeland Security having expressly consented to a reapplication by the defendant for admission into the United States, in violation of Title 8, United States Code, Section 1326(a) and (b)(2).

A TRUE BILL.

/s/ Signature on file w/AUSA

FOREPERSON

McGREGOR W. SCOTT
United States Attorney

By: [signature]
MARK E. CULLERS
Assistant U.S. Attorney
Chief, Fresno Office